



***BYLAWS OF THE
SOUTHWEST GEORGIA SECTION
OF THE
AMERICAN CHEMICAL SOCIETY**

**BYLAW I
Name**

The name of this organization shall be the Southwest Georgia Section, hereinafter referred to as the “Section” of the AMERICAN CHEMICAL SOCIETY, hereinafter referred to as the “SOCIETY”.

**BYLAW II
Objects**

Section 1. The objects of the Section shall be those of the SOCIETY as stated in the Constitution of the SOCIETY.

Section 2. Nothing in these bylaws shall be inconsistent with the Charter, Constitution, and Bylaws of the SOCIETY.

**BYLAW III
Territory and Headquarters**

The territory of the Section shall be that assigned to it by the SOCIETY. The headquarters of the Section shall be Albany, Georgia.

*Effective November 15, 2010. Approved, as amended, by the Committee on Constitution and Bylaws, acting for the Council of the AMERICAN CHEMICAL SOCIETY. (C&B: bylaws@acs.org; www.acs.org/bulletin5)

BYLAW IV
Members and Affiliates

Section 1. The rolls of the Section shall include those MEMBERS, STUDENT MEMBERS, and Society Affiliates of the SOCIETY residing within the territory of the Section, provided that exceptions to this rule shall be made in conformity with the Constitution and Bylaws of the SOCIETY.

Section 2. The Section may have Local Section Affiliates as authorized in the Constitution and Bylaws of the SOCIETY.

Section 3. MEMBERS, STUDENT MEMBERS, Society Affiliates, and Local Section Affiliates shall have such rights and privileges as are accorded them by the Constitution and Bylaws of the SOCIETY. STUDENT MEMBERS may not hold elective positions or serve as Temporary Substitute Councilors. Society Affiliates and Local Section Affiliates may not vote for or hold an elective position, vote on articles of incorporation and bylaws, or serve as a member of the Executive Committee.

BYLAW V
Organization

Section 1. The officers of the Section shall be a Chair, Chair-Elect, Secretary, and Treasurer. The offices of Secretary and of Treasurer may be held by the same person.

Section 2. The Section shall have Councilors and Alternate Councilors as provided in the Constitution and Bylaws of the SOCIETY.

Section 3. The Executive Committee shall consist of the officers of the Section, the Immediate Past Chair, the Councilors, and the Alternate Councilors.

BYLAW VI
Manner of Election and Terms of Office

Section 1. Elected officers of the Section shall serve for a term of one year, beginning January 1, or until their successors qualify. Upon completion of the Chair's term of office, the Chair-Elect shall succeed to the office of Chair.

Section 2. Councilors and Alternate Councilors shall serve for a term of three years beginning January 1. If the number of Councilors is increased between elections, for each such vacancy a Councilor and an Alternate Councilor shall be named by the Executive Committee to serve until the next election. In the event that the number of Councilors is reduced, for each reduction the Councilor and the Alternate Councilor with the shortest time to serve shall be eliminated. If the Section has more than one Councilor and Alternate Councilor, the three-year terms must be staggered to provide rotation.

Section 3. In the event of a vacancy in the office of Chair, the Chair-Elect shall assume the added duties of the Chair for the unexpired term. All other vacancies, including the offices of Councilor and Alternate Councilor, shall be filled by the Executive Committee by interim appointment for the period up to the next annual election, at which time the Section shall choose a MEMBER to fill out the unexpired term, if any. In the event the office of Chair-Elect is filled by such interim appointment, the Section shall elect both a Chair and a Chair-Elect at its annual election. In the event a Councilor is unable to serve a full term, the vacancy shall be preferentially filled, for the period up to the next annual election, by the appointment of the longest serving Alternate Councilor to Councilor.

Section 4. If any Councilor is unable to be present at a meeting of the Council, the Secretary of the Section shall certify an Alternate Councilor from the pool of Alternates who shall serve as provided in the Bylaws of the SOCIETY. Selection of Alternate Councilors to represent the Section shall be based preferentially on the length of time they have been in office.

Section 5. The Executive Committee shall appoint a Nominating Committee consisting of a Chair and two members not later than September of each year. Not more than one member of the Executive Committee may be a member of the Nominating Committee.

Section 6. The Nominating Committee shall nominate one or more persons for each officer position for which a vacancy will occur. For election of Councilors and Alternate Councilors the Nominating Committee may nominate one or more candidates for each position separately or, if only one Councilor and one Alternate Councilor are to be elected, the Committee may nominate two or more persons whose names will be listed in alphabetical order on the ballot. If the second method is chosen, each voter shall vote for one of the nominees. That person with the highest vote will be declared Councilor and the person with the second highest vote will be elected Alternate Councilor. The Committee shall distribute its report to all members and shall make a report at a regular meeting of the Section not later than early October of each year. With the exception of the Chair and Chair-Elect, the incumbent of any elective position may be renominated. Nominations from the floor or by petition are in order, following the report of the Committee. A nominee's name shall be placed on the ballot only after the nominee has consented to serve if elected.

Section 7. All normally elected officers comprising the Executive Committee, including the Councilors and Alternate Councilors, shall be elected by a ballot of all members of the Section. The balloting method used must be (1) fair and open to all members and provide for (2) anonymity, (3) protection against fraudulent balloting, (4) ballot archiving, and (5) timely reporting and archiving of results.

Section 8. The Secretary, or other designated officer of the Section, shall prepare an election ballot on which shall appear the names, in order chosen by lot, of all candidates nominated and found willing to serve. The ballot should clearly indicate how many votes are to be cast for each position. Careful instruction is especially necessary if the Councilor and Alternate Councilor are to be chosen from a list of nominees.

Section 9. A period of at least three weeks must be provided between the date of distribution of the ballots to the members and the deadline for their return to the Secretary, or other designated

officer of the Section. The specific required return date for vote inclusion shall be stated on the ballot.

Section 10. There shall be two tellers appointed by the Chair, one of whom must be a member of the Executive Committee other than the Secretary.

Section 11. The Secretary, or other designated officer of the Section, shall deliver to the Tellers all ballots received by the deadline.

Section 12. The Tellers shall count the ballots thus received, using the list of members provided by the Secretary to verify eligibility of all those voting. The ballot of any voter not so validated shall be rejected.

Section 13. In case of a tie vote for any Section elected officer or Councilor or Alternate Councilor opening, the Executive Committee shall make the final selection.

BYLAW VII

Recall of Elected Officials

Section 1. The elected officials of the Section are subject to recall for neglect of duties or conduct injurious to the SOCIETY. Recall procedures are not applicable to Councilors and Alternate Councilors elected by Local Sections.

Section 2. The recall of an official shall be initiated when a signed petition, indicating in writing the specific charges and reasonable substantiating evidence is submitted to the Chair from at least five voting members of the Section. In the event the Chair is the official in question, the Chair-Elect shall receive the petition and shall assume the duties of the Office of Chair with respect to this issue until the issue is resolved.

Section 3. The Chair shall, without delay, determine that the petitioners are aware of the gravity of their actions and the procedures to be followed. The Chair shall seek an alternate resolution to the problem and a withdrawal of the petition at this time. In the absence of a resolution to the problem, the Chair shall present the issue to the Executive Committee as a new business item at the next Executive Committee meeting.

- a. The Executive Committee shall promptly continue the recall process or dismiss the petition as ill-founded or find an alternative solution to the problem. The Chair shall promptly inform the petitioners and the official of the decision of the Executive Committee.
- b. If the proceedings continue, the Chair shall assign the duties of the official to another qualified member of the Section until the issue is resolved.
- c. If the proceedings continue, the official shall be offered an opportunity to answer the allegations in the petition before the Executive Committee.

Every reasonable effort shall be made to contact the official throughout this procedure. That effort shall include a certified letter to the last known address on the official SOCIETY membership rolls. Upon notification, the official shall have thirty days to make a written response to the allegations. The Executive Committee shall decide whether to proceed after studying the official's response. The Chair shall inform the official and the petitioners of the decision of the Executive Committee.

If no contact with the official can be made after a reasonable effort, the Executive Committee may remove the official in question with a two-thirds (2/3) vote of the remaining members of the Executive Committee.

- d. If the proceedings continue, the official shall choose one of the following options:
 - (1) The official may resign.
 - (2) The official may request a recall vote in the same manner as the original election, which must be consistent with the Section bylaws. The membership shall be informed, through brief written statements prepared by the Executive Committee and the official of the issues involved with the recall vote. Both statements shall be given to the membership before the vote is taken.
 - (3) The official may request a hearing and a recall vote by the remaining members of the Executive Committee. A two-thirds vote of the remaining members of the Executive Committee shall be required to recall the official.
 - (4) The official may choose not to respond and thus forfeit the position.

Section 4. The vacancy provisions of these bylaws shall be used to fill a vacancy caused by a recall process. The membership of the Section and the Executive Director of the SOCIETY shall be informed of the results of the recall process and the replacement official.

BYLAW VIII

Duties of Officers and Executive Committee

Section 1. The duties of the officers shall be those customarily performed by such officers, together with those responsibilities prescribed by the Constitution and Bylaws of the SOCIETY and by these bylaws and such other duties as may be assigned from time to time by the Executive Committee.

Section 2. The Chair of the Section shall serve as Chair of the Executive Committee and shall appoint members to all committees authorized in these bylaws or by the Executive Committee.

Section 3. The Executive Committee shall be the governing body of the Section, and, as such, shall have full power to conduct, manage, and direct the business and affairs of the Section in accordance with the Constitution and Bylaws of the SOCIETY and these bylaws.

BYLAW IX
Committees

The Executive Committee shall establish committees as necessary for the proper operation of the Section.

BYLAW X
Meetings

Section 1. The Section shall hold regular meetings at places and times designated by the Executive Committee.

Section 2. The Section may hold special meetings at the call of the Executive Committee or at the written request of 15 members of the Section. The notices of special meetings shall state the exact nature of the business to be considered, and no other business shall be transacted at such meetings.

Section 3. Due notice of all meetings shall be sent to each member and affiliate of the Section. A quorum for transaction of business at a Section meeting shall consist of the larger of 15 or 10 percent of the members of the Section. No business shall be transacted in the absence of a quorum.

Section 4. The Executive Committee shall meet upon due notice to its members at the call of the Chair or at the request of a majority of the members of the Committee. In the absence of a quorum, which shall be a majority of the members of the Executive Committee, called meetings of the Executive Committee shall adjourn to a date.

Section 5. The latest edition of *Robert's Rules of Order Newly Revised* shall be used to resolve procedural matters not otherwise addressed in the SOCIETY's Constitution or Bylaws or in these bylaws.

BYLAW XI
Finances

Section 1. All MEMBERS and assigned Society Affiliates of the Section may be assessed such voluntary annual Local Section dues as may be set by the Executive Committee. At the discretion of the Executive Committee, Local Section dues may be waived for STUDENT MEMBERS.

Section 2. The annual dues of Local Section Affiliates shall be set by the Executive Committee in accordance with the Constitution and Bylaws of the SOCIETY. Failure to pay such dues for the current year shall automatically terminate the affiliation.

BYLAW XII
Amendments

Section 1. A proposed amendment to these bylaws must first be submitted in writing to the Executive Committee. If it is approved by a majority of the Executive Committee, the Secretary shall submit the proposed changes to the ACS Council Committee on Constitution and Bylaws for initial review. After the Executive Committee has addressed the Committee on Constitution and Bylaws' comments and has approved the proposed amendments by a majority vote, the Secretary shall furnish all members of the Section with copies of the proposed amendment at the time when notice of the next meeting of the Section is given.

Section 2. At the second meeting of the Section after notice of the proposed amendment is given, the amendment will be adopted if it receives an affirmative vote by two-thirds (2/3) of the members present.

Section 3. Any proposed amendment not approved by the Executive Committee within sixty days from the time it is submitted thereto, may be brought to a vote of the membership in the aforementioned manner by a petition signed by not less than 15 members of the Section.

Section 4. Amendments to these bylaws, after adoption by the Section, shall become effective upon approval by the Committee on Constitution and Bylaws, acting for the Council of the SOCIETY, unless a later date is specified in the amendment.

BYLAW XIII
Dissolution of the Section

Upon the dissolution of the Section, any assets of the Section remaining thereafter shall be conveyed to such organization then existent, within or without the territory of the Section, dedicated to the perpetuation of objects similar to those of the AMERICAN CHEMICAL SOCIETY, or to the AMERICAN CHEMICAL SOCIETY so long as whichever organization is selected by the governing body of the Section at the time of dissolution shall be exempt under Section 501(c)(3) of the Internal Revenue Code of 1954 as amended or under such successor provision of the Code as may be in effect at the time of the Section's dissolution.